

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Before the Board of Patent Appeals and Interferences

In re Patent Application of

Atty. Dkt.: 39-196  
C# M#

FERGUSON

Group Art Unit: 1646

Serial No. 09/459,979

Examiner: Jiang, D.

Filed: December 14, 1999

Date: August 12, 2002

Title: PHARMACEUTICAL COMPOSITION  
CONTAINING INHIBITORS OF INTERFERON-  
GAMMAAssistant Commissioner for Patents  
Washington, DC 20231

Sir:

 **NOTICE OF APPEAL**Applicant hereby appeals to the Board of Appeals from the decision dated  
April 10, 2002 of the Examiner twice/finally

rejecting claims 39-43 (\$ 320.00 ) \$ 320.00

An appeal BRIEF is attached in triplicate in the pending appeal of the above-identified application (\$ 320.00 ) \$ 0.00

An ORAL HEARING is requested under Rule 194 (\$ 280.00 ) \$ 0.00 (due within two months after Examiner's Answer)

Credit for fees paid in prior appeal without decision on merits -\$ ( 0.00 )

A reply brief is attached in triplicate under Rule 193(b) (no fee)

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$400.00/2 months; \$920.00/3 months; \$1440.00/4 months) \$ 110.00  
SUBTOTAL \$ 430.00

Applicant claims "Small entity" status, enter 1/2 of subtotal and subtract -\$ ( 215.00 )  
 "Small entity" statement attached.

08/14/2002 MBROWN 00000001 141140 09459979

SUBTOTAL \$ 215.00

01 FC:219 Less 160.00 Month extension previously paid on  
02 FC:215 55.00 CH

-\$ ( 0.00 )

TOTAL FEE TO BE DEBITED \$ 215.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.  
By Atty.: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. (e). Wilson

#13  
mb  
08/14/02

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***FACSIMILE COVER SHEET***  
**PLEASE DELIVER IMMEDIATELY!!!!**

Atty Dkt.: 39-196 Date: August 12, 2002

To: Examiner Jiang, D. - Group: 1646  
Firm: USPTO  
Facsimile No.: (703) 308-0294  
From: Mary J. Wilson

Number of Pages (including cover sheet): 3  
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PLEASE CONTACT US IMMEDIATELY AT (703-816-4000).

Tabitha A. Trice  
FACSIMILE OPERATOR

ATTACHMENT/S: **OFFICIAL NOTICE OF APPEAL (IN DUPLICATE)**

**MESSAGE:**

In re PATENT APPLICATION OF:

**FERGUSON**

Serial No.: 09/459,979

Filed: December 14, 1999

For: **PHARMACEUTICAL COMPOSITION CONTAINING INHIBITORS OF  
INTERFERON-GAMMA**

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